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City of Detroit
Board of Zoning Appeals
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JAMES W. RIBBRON
Director

REGULAR MEETING OF
SEPTEMBER 17, 2019
IN THE ERMA L. HENDERSON AUDITORIUM
ON THE 13TH FLOOR
COLEMAN A. YOUNG MUNICIPAL CENTER

DOCKET

- I. OPENING:**
 - A. CALL TO ORDER.....9:00 A.M.**
 - B. ROLL CALL.....**
- II. PROCEDURAL MATTERS**
- III. MINUTES:**
 - A. APPROVAL OF MINUTES: August 27, 2019**
- IV. COMMUNICATIONS:**
- V. MISCELLANEOUS BUSINESS:**
- VI. PUBLIC HEARINGS:**

9:15 a.m. CASE NO.: BSEED 184-17 – Community Appeal
(Adjourned from September 18, 2018)

APPLICANT: Judith Sale

LOCATION: 2031, 2037, 2043 & 2047 11th Street between Michigan Ave.
and Church St. in a B4 zone (General Business District)-City
Council District #6

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Judith Sale appeals the decision of the Buildings
Safety Engineering and Environmental
Department (BSEED 184-17) which (Approved
With Conditions) TO construct two, three story
townhouse buildings (18 units) on a 17,967
square feet vacant site in a B4 zone (General
Business District). This case is appealed because
Appeals to the Board of Zoning Appeals may be
taken by any person, firm, partnership or
corporation, or by any City department,
commission, board or other City agency which is
aggrieved 1) by a decision of an enforcing officer,
or 2) by any decision made by the Buildings and
Safety Engineering Department involving
Conditional Uses. (Sections 61-4-72 Appeals and
61-3-231 General Approval Criteria).AP

This Meeting is open to all members of the public under Michigan’s Open Meetings Act

10:00 a.m. **CASE NO.:** 52-19

APPLICANT: AMIR ALKHAFAGI

LOCATION: 15225 Joy Rd. (aka 15217, 15221 & 15235 Joy Rd.)
between Sussex and Whitcomb in a B4 Zone (General
Business District) City Council District #7

LEGAL DESCRIPTION OF PROPERTY: S JOY 837 THRU 835
FRISCHKORNS WEST CHICAGO BLVD SUB L46 P11-2 PLATS,
WCR 22/540 60 X 100

PURPOSAL: Amir Alkhafagi appeals the decision of the Building, Safety, and Engineering Case No. 251-16 which denied the request to establish a major motor vehicle repair facility (no painting) in an existing 2,562 square foot building in a B4 zone (GENERAL BUSINESS DISTRICT). This case is appealed because Appeals of the Buildings and Safety Engineering Department on Conditional Use permit applications shall be taken to the Board of Zoning Appeals within fourteen (14) days of the date of the department's decision, also, the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses. (Sections 61-4-71 Jurisdiction Over Appeals of Administrative Decisions and 61-3-231 Approval Criteria).AP

10:45 a.m. **CASE NO.:** 43-19 (aka BSEED 79-18) – Adjourned from August 20, 2019

APPLICANT: ROSARIA MANNINO

LOCATION: 15146 Gratiot between Bringard and Eastburn in a B4 Zone
(General Business District)-City Council District #3

LEGAL DESCRIPTION OF PROPERTY: S GRATIOT S 2 FT 4 5&6 ED DE
GRANDCHAMP GRATIOT FARM SUB L40 P18 PLATS, W C R 21/803
42 X 100

PROPOSAL: Rosaria Mannino requests a variance of spacing regulation TO establish a Used Motor Vehicle Sales lot in an existing 1,792 square foot building approved w/ conditions under BSEED Case 79-18 in a B4 (General Business District). This case is appealed because after a public hearing, a variance may be granted by the Board of Zoning Appeals based on the approval criteria of Sec. 61-4-81 of this Code in the instances to modify any use regulation that is specified in ARTICLE XII.DIVISION 2 of this Chapter; there are currently three (3) Motor Vehicle Sales Lots within 1,000 radial feet of the subject property located at 15252 Gratiot – 138 feet, 15296 Gratiot – 749 feet and 15926 Gratiot – 937 feet. (Sections 61-4-92(1) Other Variances, Variance of Use Regulation, 61-12-91 Retail, Service and Commercial uses, Spacing, 61-12-95 Waiver of General Spacing Requirements and 61-4-81 Approval Criteria).AP

11:30 a.m. **CASE NO.: 47-19**

APPLICANT: Daniel Pettigrew / Greenstone Wellness

LOCATION: 12750 Mansfield between Glendale and Fullerton in an M4 zone (Intensive Industrial District)-City Council District #1

LEGAL DESCRIPTION OF PROPERTY: E MANSFIELD ALL THAT PT OF NE 1/4 SEC 25 T1S R10E LYG E & ADJ MANSFIELD AVE DESC AS FOLS; BEG AT A PTE IN E LINE OF MANSFIELD AVE (65 FT WD) DIST N'LY ALG SD LINE 655 FT FROM N LINE OF FULLERTON AVE (66 FT WD); TH N 0D3M W 201.33 FT TO A PTE ON S LINE OF GLENDALE AVE (56 FT WD); TH S 89D 43M E 271 FT TO A PTE; TH S 0D 4M W 201.33 FT TO A PTE; TH N 89D 43M W 272.43 FT TO P O B 22/--- 54 631 SQ FT

PROPOSAL: Greenstone Wellness, LLC appeals the decision of the Buildings Safety Engineering and Environmental Department's BSEED Case No. 142-18 dated April 23, 2019 which DENIED permission to establish a Medical Marihuana Provisioning Center Facility in a 1,450 square foot unit, a Medical Marihuana Grower Facility in a 7,655 square foot unit and a Medical Marihuana Processor Facility in a 14,960 square foot unit of an existing 24,065 square foot building in a M4 (Intensive Industrial District). This case is appealed because appeals to the Board of Zoning Appeals may be taken by any person, firm, partnership or corporation, or by any City department, commission, board or other City agency which is aggrieved 1) by a decision of an enforcing officer, or 2) by any decision made by the Buildings and Safety Engineering Department involving Conditional Uses. Medical marihuana facilities may be permitted on a conditional basis in the following zoning districts in accordance with this Article, subject to the provisions of this Division and any other applicable provisions of this Code, and all applicable state of Michigan requirements: (1) Medical marihuana grower facilities MAY be permitted on a conditional basis in the M1, M2, M3, M4, and M5 zoning districts. (Sections 61-4-72 Appeals and Sec. 61-3-355(a)(1). Permitted districts for medical marihuana facilities; Conditional Uses; Restrictions and 61-3-231 Approval Criteria (Conditional Uses).AP

12:15 a.m. **CASE NO.: 51-19**

APPLICANT: Mohammed Shammout

LOCATION: 8700 Military between Linsdale and Joy Rd. in an M4 Zone (Intensive Industrial District)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: E MILITARY ALL THAT PART OF P C 574 LYG E OF & ADJ MILITARY AVE N OF & ADJ LINSDALE AVE BG 576.34 FT ON E LINE OF MILITARY AVE & 580.17 FT ON E LINE OF SD P C 574 16/-- 148,380 SQ FT

PROPOSAL: Mohammed Shammout appeals the decision of the Buildings Safety Engineering and Environmental Department's Special Land Use Review dated May 6, 2019 which DENIED and states; the subject property has been confirmed as being within 1000 radial feet of an Outdoor Recreation Center known as Sirotkin Park located at 8741 Epworth located approximately 438 radial feet in an M4 (Intensive Industrial District). This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses. Also, no Conditional Use shall be approved by the Buildings and Safety Engineering Department, or the Board of Zoning Appeals on appeal, unless each of the general findings of Section 61-3-231 are made; the proposed MMGF site is located 438 feet from a "DRUG FREE ZONE" known as Outdoor Recreation Center known as Sirotkin Park located at 8741 Epworth. (Sections 61-4-71. Jurisdiction Over Appeals of Administrative Decisions, 61-3-355 (b) (1). Permitted districts for medical marihuana facilities; Conditional Uses, 61-3-353. Definitions; meaning of terms: Medical marihuana grower facility).

VII. **PUBLIC COMMENT / NEW BUSINESS**

Next Hearing Date: September 24, 2019

VIII. **ADVISEMENTS / OLD BUSINESS**

IX. **MEETING ADJOURNED**

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at [313\) 224-4950](tel:3132244950), through the TTY number 711, or email at crio@detroitmi.gov to schedule these services.